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10 Attorneys for Defendants
TESLA, INC., ELON MUSK, BRAD W. BUSS,
11 ROBYN DENHOLM, IRA EHRENPREIS,
ANTONIO J. GRACIAS, JAMES MURDOCH,
12 KIMBAL MUSK, and LINDA JOHNSON RICE

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15
16 SAN FRANCISCO DIVISION

17
18 IN RE TESLA, INC. SECURITIES
LITIGATION

Case No. 3:18-cv-04865-EMC

**DECLARATION OF MICHAEL
LIFRAK IN SUPPORT OF
STIPULATION ORDER EXTENDING
TIME FOR DEFENDANTS TO
RESPOND TO PLAINTIFF'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL (ECF NO. 351)**

1 **I, Michael T. Lifrak, declare as follows:**

2 1. I am a member of the bar of the State of California and a partner at Quinn Emanuel
3 Urquhart & Sullivan, LLP, attorneys for Defendants Tesla, Inc., Elon R. Musk, Brad W. Buss,
4 Robyn Denholm, Ira Ehrenpreis, Antonio J. Gracias, James Murdoch, Kimbal Musk, and Linda
5 Johnson Rice (collectively, “Defendants”). I make this declaration of personal, firsthand
6 knowledge, and if called and sworn as a witness, I could and would testify competently thereto.

7 2. I submit this Declaration in support of Defendants’ Stipulation To Extend Time
8 For Defendants To Respond To Motion To File Under Seal, filed herewith. I have personal
9 knowledge of the matters described below and I am competent to testify thereto.

10 3. On December 16, 2021, Defendants substituted their counsel to the firm of Quinn
11 Emanuel Urquhart & Sullivan, LLP.

12 4. Since that time, counsel for Defendants have worked diligently to fully complete
13 this transition and become familiarized with all issues in this case, including open discovery
14 disputes between the parties, and in particular those that relate to confidentiality designations.

15 5. On January 11, 2022, Plaintiff Glen Littleton (“Lead Plaintiff”), filed a Partial
16 Motion for Summary Judgment and an Administration Motion to File Under Seal (“Motion to
17 Seal”).

18 6. The Motion to Seal seeks to seal 44 exhibits and deposition transcripts, as well as
19 excerpts from the Partial Motion for Summary Judgment.

20 7. Counsel for Defendants require additional time to assess this volume of materials
21 in order to respond to the Motion to Seal, and intend to do so in a holistic way that addresses
22 larger confidentiality issues between the parties.

23 8. Although the parties have previously stipulated to and received changes in the case
24 schedule, counsel for Defendants have not sought an extension of time to address a sealing
25 motion before now.

26 9. The provision of a seven day extension of time for Defendants to respond to the
27 Motion to Seal will not impact the deadlines otherwise set for the briefing or hearing on
28 Plaintiff’s Partial Motion for Summary Judgment.

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct and that this document was executed in Los Angeles, California.

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4 DATED: January 13, 2022

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6 By /s/ Michael T. Lifrak
7 Michael T. Lifrak
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